

Introduced by Senator Perata

February 23, 2007

An act to add Division 33 (commencing with Section 83000) to the Water Code, relating to water, making an appropriation therefor, and declaring the urgency thereof, to take effect immediately.

LEGISLATIVE COUNSEL'S DIGEST

SB 1002, as introduced, Perata. Safe Drinking Water, Water Quality and Supply, Flood Control, River and Coastal Protection Bond Act of 2006.

The Safe Drinking Water, Water Quality and Supply, Flood Control, River and Coastal Protection Bond Act of 2006 authorizes the issuance of bonds in the amount of \$5,388,000,000 for the purpose of financing a safe drinking water, water quality and supply, flood control, and resource protection program. Of these bond funds, the bond law makes available \$180,000,000, upon appropriation to the State Department of Public Health, for grants for small community drinking water infrastructure improvements and related actions to meet safe drinking water standards. The bond law also makes available \$65,000,000, upon appropriation, to the Department of Water Resources, for planning and feasibility studies relating to existing and potential future needs for water supply, conveyance, and flood control systems.

This bill, with regard to those bond funds, would appropriate \$80,000,000 to the Controller for allocation as follows: \$50,000,000 to the State Department of Public Health for grants for small community drinking water systems infrastructure improvements and related actions to meet safe drinking water standards; \$15,000,000 to the Department of Water Resources to complete feasibility studies associated with new surface storage under the California Bay-Delta Program; and

\$15,000,000 to the Department of Water Resources for the development of a plan for the reoperation of the state's flood protection and water supply systems.

This bill would declare that it is to take effect immediately as an urgency statute.

Vote: $\frac{2}{3}$. Appropriation: yes. Fiscal committee: yes.

State-mandated local program: no.

The people of the State of California do enact as follows:

SECTION 1. Division 33 (commencing with Section 83000) is added to the Water Code, to read:

DIVISION 33. INTEGRATED WATER SUPPLY AND
FLOOD PROTECTION PLANNING, DESIGN, AND
IMPLEMENTATION

83000. The Legislature hereby finds and declares all of the following:

(a) Water is vital to the economy, environment, and overall well-being of the state.

(b) California faces increasing challenges in managing its water supply due to climate change, uncertainty regarding the availability of water from the Sacramento-San Joaquin Delta and other sources, an increasing state population, limitations on public funds, and other factors.

(c) California must adopt a new, updated, and comprehensive set of water planning, design, and implementation policies that reflect these realities to protect its water supply future.

(d) In the past, state laws, funding schemes, and administrative actions have treated the planning, construction, and operation of water supply, groundwater, and flood control systems as separate and distinct activities, thereby reducing efficiency and water supply reliability.

(e) California has not taken full advantage of the cost savings, the environmental benefits, or the expediency of more efficient operations and usage of existing water supply, storage, and flood protection facilities.

(f) It is the policy of the state to more effectively integrate its flood protection systems with its water supply and conveyance

1 systems in order to conserve limited public dollars, increase the
2 available water supply, improve water quality, increase wildlife
3 and ecosystem protections, protect public health and safety, and
4 address the effects of climate change.

5 (g) The purpose of this division is to require the integration of
6 flood protection and water systems to achieve multiple public
7 benefits, including all of the following:

8 (1) Increasing water supply reliability in the least costly, most
9 efficient, and most reliable manner to meet current and future state
10 needs.

11 (2) Increasing use of water use efficiency and water conservation
12 measures to increase and extend existing water supplies.

13 (3) Reducing energy consumption associated with water
14 transport, thereby reducing state greenhouse gas emissions.

15 (4) Improving water management to protect and restore
16 ecosystems and wildlife habitat.

17 83001. In order to provide the least costly, most efficient, and
18 reliable water supply to a growing state, it is the intent of the
19 Legislature that the department accomplish the following
20 objectives:

21 (a) Integrate state flood protection and water supply systems.

22 (b) Promote conjunctive use of groundwater storage capacity
23 to improve overall water supply and flood system operation.

24 (c) Promote increased water use efficiency through expanded
25 use of water conservation, water recycling, and improvements in
26 technology.

27 83002. Of the funds made available pursuant to Division 43
28 (commencing with Section 75001) of the Public Resources Code,
29 the sum of eighty million dollars (\$80,000,000) is hereby
30 appropriated to the Controller for allocation as follows:

31 (a) Pursuant to Section 75022 of the Public Resources Code,
32 the sum of fifty million dollars (\$50,000,000) to the State
33 Department of Public Health for grants for small community
34 drinking water system infrastructure improvements and related
35 action to meet safe drinking water standards. First priority for these
36 funds shall be given to disadvantaged communities lacking
37 resources to provide safe drinking water to residents.

38 (b) Pursuant to Chapter 4 (commencing with Section 75041) of
39 Division 43 of the Public Resources Code, the sum of thirty million
40 dollars (\$30,000,000) to the department as follows:

1 (1) (A) Fifteen million dollars (\$15,000,000) to complete the
2 feasibility studies associated with new surface storage under the
3 California Bay-Delta Program.

4 (B) The feasibility studies funded pursuant to this paragraph
5 shall include the following information:

6 (i) The identification of specific construction and operation
7 conditions proposed for each surface storage facility, including
8 consideration of climate change, an estimated schedule for the
9 construction and completion of each project, and the total costs of
10 constructing each project.

11 (ii) A description of the estimated total costs to construct each
12 project and an allocation of the costs to public and private
13 beneficiaries.

14 (C) The feasibility studies financed pursuant to this paragraph
15 shall be prepared and submitted to the Governor and the Legislature
16 no later than March 1, 2008.

17 (2) (A) Fifteen million dollars (\$15,000,000) for the
18 development of a plan for the reoperation of the state's flood
19 protection and water supply systems that will optimize the use of
20 existing facilities and groundwater storage capacity.

21 (B) This plan shall incorporate appropriate climate change
22 scenarios and be designed to achieve all of the following objectives:

23 (i) Integration of flood protection and water supply systems to
24 increase water supply reliability and flood protection, improve
25 water quality, and provide for ecosystem protection and restoration.

26 (ii) Reoperation of existing reservoirs, flood facilities, and other
27 water facilities in conjunction with groundwater storage to improve
28 water supply reliability, flood control, and ecosystem protection
29 and to reduce groundwater overdraft.

30 (iii) Promotion of more effective groundwater management and
31 protection and greater integration of groundwater and surface water
32 resource uses.

33 (iv) Improvement of existing water conveyance systems to
34 increase water supply reliability, improve water quality, expand
35 flood protection, and protect and restore ecosystems.

36 SEC. 2. This act is an urgency statute necessary for the
37 immediate preservation of the public peace, health, or safety within
38 the meaning of Article IV of the Constitution and shall go into
39 immediate effect. The facts constituting the necessity are:

1 In order to integrate flood protection and water systems to
2 achieve multiple public benefits at the earliest date, it is necessary
3 that this act take immediate effect.

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